

SENATE BILL 3054

By Tracy

AN ACT to amend Tennessee Code Annotated, Title 4;
Title 40 and Title 41, relative to citizenship status
of persons arrested, booked or confined for any
period in a county or municipal jail or detention
facility.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 40-7-123, is amended by deleting subsections (c) and (d), and by substituting instead the following language as new, appropriately designated subsections:

(c) Every jail and detention facility shall annually report to the department of correction:

(1) The number of persons arrested, booked or confined for any period in a county or municipal jail or detention facility who are not U.S. citizens or whose citizenship status can not be determined; and

(2) The costs associated with the arrest, booking and confinement of the persons described in subdivision (c)(2).

(d) Subsections (a) - (c) do not apply to a county or municipality if complying with those subsections is prohibited by:

(1) A memorandum of understanding entered into by the county or municipality with the United States department of homeland security concerning enforcement of federal immigration laws; or

(2) The United States immigration and customs enforcement criminal alien program (CAP), in which the county or municipality participates.

(e) The commissioner of correction shall include the information described in subsection (c) in an annual report presented to the speakers of the senate and house of

representatives and the judiciary committees of the senate and house of
representatives.

SECTION 2. This act shall take effect July 1, 2012, the public welfare requiring it.